

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

DONNA COFFELT,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 5:14-cv-00056
)	
CAROLYN W. COLVIN, Acting)	By: Elizabeth K. Dillon
Commissioner, Social Security)	United States District Judge
Administration,)	
)	
Defendant.)	

ORDER AND FINAL JUDGMENT

In this social security case, plaintiff Donna Coffelt and defendant Carolyn W. Colvin, Acting Commissioner of the Social Security Administration, both move for summary judgment under Federal Rule of Civil Procedure 56. Pursuant to 28 U.S.C. § 636(b)(1)(B), the court referred the motions to U.S. Magistrate Judge Joel C. Hoppe for a report and recommendation (R&R).

On May 6, 2016, the magistrate judge issued his R&R. Finding the Commissioner's decision that Coffelt is not entitled to disability insurance benefits consistent with the law and supported by substantial evidence in the record, the magistrate judge recommends that the court deny Coffelt's motion and grant the Commissioner's.

The deadline to object to the R&R has passed, and Coffelt has filed no objection. "[I]n the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" *Diamond v. Colonial Life & Accident*

Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

Upon reviewing the record here, the court is satisfied that there is no clear error on the face of the R&R. Accordingly, it hereby ORDERS as follows:

1. The R&R (Dkt. No. 22) is ADOPTED with the following correction:
Coffelt alleged that her disability began on November 30, 2003, not November 30, 2013, as page 3 of the R&R reads;
2. Coffelt's motion for summary judgment (Dkt. No. 17) is DENIED;
3. The Commissioner's motion for summary judgment (Dkt. No. 20) is GRANTED; and
4. The case is STRUCK from the court's active docket.

The clerk is directed to send a copy of this order to all counsel of record.

Entered: June 8, 2016.

/s/ Elizabeth K. Dillon

Elizabeth K. Dillon
United States District Judge